



UNITED STATES DEPARTMENT OF COMMERCE
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Paper No. 7

In re application of	:	PETITION TO MAKE
Ken Wilson et al.	:	SPECIAL
Application No. 09/206,720	:	(INFRINGEMENT)
Filed: December 7, 1998	:	MPEP 708.02
For: EXTREDED METAL SPORTS BOARD	:	

Application No. 09/206,720 was filed on December 7, 1998. A petition to make the application special, based on infringement, was filed on March 29, 1999.

MPEP 708.02 states that a Petition to Make Special based on Infringement must have the following: (1) the appropriate petition fee under 37 CFR 1.17(i); (2) a statement by the assignee, applicant, or attorney alleging: (A) that there is an infringing device or product actually on the market; (B) that a rigid comparison of the alleged infringing device or product with the claims of the application has been made, and that, in his opinion, some of the claims are unquestionably infringed; and (C) that he has made a careful and thorough search of the prior art, and has good knowledge of the prior art, and has sent a copy of the references deemed most closely related to the subject matter encompassed by the claims.

The petition filed March 29, 1998 includes all of the requirements above and, therefore, the petition is **GRANTED**.

The examiner is directed (1) to make an interference search for possible interfering applications; (2) to promptly examine this application out of turn; and (3) if any interfering application is discovered, to examine such application simultaneously and state in the first official letter of such application that it is being taken out of turn because of a possible interference.

Petitioner is advised that this application will continue to be special, throughout its entire prosecution and pendency, including interference or appeal, if any, only if petitioner makes a prompt *bona fide* effort, in response to each Office action, to place the application in condition

for allowance, even if it is necessary to conduct an interview with the examiner to accomplish this purpose.

SUMMARY: The Petition to Make Special is **GRANTED**.



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